

	U.S. ENVIRONMENTAL PROTECTION AGENCY Assistance Amendment		GRANT NUMBER (FAIN): 99267202 MODIFICATION NUMBER: 3 PROGRAM CODE: BG	DATE OF AWARD 08/23/2007
			TYPE OF ACTION Augmentation: Increase	MAILING DATE 08/30/2007
			PAYMENT METHOD: Advance	ACH#
RECIPIENT TYPE: Indian Tribe			Send Payment Request to: Las Vegas Finance Center	
RECIPIENT: Saint Regis Mohawk Tribe 412 State Road Route 37 Akwesasne, NY 13655 EIN: 16-1007650			PAYEE: Saint Regis Mohawk Tribe 412 State Road Route 37 Akwesasne, NY 13655	
PROJECT MANAGER Ken Kock 412 State Road Route 37 Akwesasne, NY 13655 E-Mail: Phone: 518-358-2272		EPA PROJECT OFFICER Christine Yost 290 Broadway, DEPP/DO New York, NY 10007-1866 E-Mail: Yost.Christine@epamail.epa.gov Phone: 212-637-3564		EPA GRANT SPECIALIST Cynthia Pabon Grants and Contracts Mngt. Branch, OPM/GCMB E-Mail: pabon.cynthia@epa.gov Phone: 212-637-3405
PROJECT TITLE AND EXPLANATION OF CHANGES St. Regis 06-10 PPG This amendment increases the federal share of the agreement by \$381,361 from \$1,188,366 to \$1,569,727. When additional funds become available, the agreement will be increased. Administrative Conditions 13, 14 and 15 have been added to the agreement and Programmatic Conditions 6 and 8 have been revised.				
BUDGET PERIOD 01/01/2006 - 12/31/2010	PROJECT PERIOD 01/01/2006 - 12/31/2010	TOTAL BUDGET PERIOD COST \$5,176,217.00	TOTAL PROJECT PERIOD COST \$5,176,217.00	
NOTICE OF AWARD				
Based on your Application dated 06/06/2005 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$381,361. EPA agrees to cost-share 95.16% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$1,569,727. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.				
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)		AWARD APPROVAL OFFICE		
ORGANIZATION / ADDRESS Grants and Audit Management Branch 290 Broadway, 27th Floor New York, NY 10007-1866		ORGANIZATION / ADDRESS U.S. EPA, Region 2 Division of Environmental Planning and Protection 290 Broadway New York, NY 10007-1866		
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY				
Digital signature applied by EPA Award Official Donna J. Vizian - Assistant Regional Administrator for Policy and Management				DATE 08/23/2007

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 1,188,366	\$ 381,361	\$ 1,569,727
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 309,502	\$	\$ 309,502
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 1,497,868	\$ 381,361	\$ 1,879,229

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.605 - Performance Partnership Grants	Appropriations Act of 1996 (PL 104-134) Appropriations Act of 1998 (PL 105-65)	40 CFR PTS 31 & 35 SUBPT B

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	0702HE0493	07	E1	02TB	403B07E	4108			3,785
-	0702HE0493	07	E1	02TB	202B01E	4108			12,510
-	0702HE0493	07	E1	02TB	502C13E	4108			13,318
-	0702HE0493	07	E1	02TB	201B03E	4108			66,667
-	0702HE0493	07	E1	02TB	202B06E	4108			51,324
-	0702HE0493	07	E1	02TB	101A17E	4108			84,348
-	0702HE0493	07	E1	02TB	202B06EP1	4108			7,272
-	0702HE0493	07	E1C	02TB	101A17E	4108			7,933
-	0702HE0493	07	E1C	02TB	202B02E	4108			8,967
-	0702HE0493	07	E1	02TB	503B15E	4108			125,237
									381,361

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$2,459,859
2. Fringe Benefits	\$904,484
3. Travel	\$207,942
4. Equipment	\$82,044
5. Supplies	\$337,054
6. Contractual	\$293,091
7. Construction	\$0
8. Other	\$319,825
9. Total Direct Charges	\$4,604,299
10. Indirect Costs: % Base	\$571,918
11. Total (Share: Recipient <u>4.84</u> % Federal <u>95.16</u> %.)	\$5,176,217
12. Total Approved Assistance Amount	\$4,925,482
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$381,361
15. Total EPA Amount Awarded To Date	\$1,569,727

Administrative Conditions

The following Conditions are added:

13. HOTEL-MOTEL FIRE SAFETY

Pursuant to 40 CFR 30.18, if applicable, and 15 USC 2225a, the recipient agrees to ensure that all space for conferences, meetings, conventions, or training seminars funded in whole or in part with federal funds complies with the protection and control guidelines of the Hotel and Motel Fire Safety Act (PL 101-391, as amended). Recipients may search the Hotel-Motel National Master List at <http://www.usfa.dhs.gov/applications/hotel/> to see if a property is in compliance (FEMA ID is currently not required), or to find other information about the Act.

14. SUBAWARD POLICY

a. The recipient agrees to:

- (1) Establish all subaward agreements in writing;
- (2) Maintain primary responsibility for ensuring successful completion of the EPA-approved project (this responsibility cannot be delegated or transferred to a subrecipient);
- (3) Ensure that any subawards comply with the standards in Section 210(a)-(d) of OMB Circular A-133 and are not used to acquire commercial goods or services for the recipient;
- (4) Ensure that any subawards are awarded to eligible subrecipients and that proposed subaward costs are necessary, reasonable, and allocable;
- (5) Ensure that any subawards to 501(c)(4) organizations do not involve lobbying activities;
- (6) Monitor the performance of their recipients and ensure that they comply with all applicable regulations, statutes, and terms and conditions which flow down in the subaward;
- (7) Obtain EPA's consent before making a subaward to a foreign or international organization, or a subaward to be performed in a foreign country; and
- (8) Obtain approval from EPA for any new subaward work that is not outlined in the approved work plan in accordance with 40 CFR Parts 30.25 and 31.30, as applicable.

b. Any questions about subrecipient eligibility or other issues pertaining to subawards should be addressed to the recipient's EPA Project Officer. Additional information regarding subawards may be found at <http://www.epa.gov/ogd/guide/subaward-policy-part-2.pdf>. Guidance for distinguishing between vendor and subrecipient relationships and ensuring compliance with Section 210(a)-(d) of OMB Circular A-133 can be found at <http://www.epa.gov/ogd/guide/subawards-appendix-b.pdf> and <http://www.whitehouse.gov/omb/circulars/a133/a133.html>.

c. The recipient is responsible for selecting its subrecipients and, if applicable, for conducting subaward competitions.

15. MANAGEMENT FEES

Management fees or similar charges in excess of the direct costs and approved indirect rates are not allowable. The term "management fees or similar charges" refers to expenses added to the direct costs in order to accumulate and reserve funds for ongoing business expenses, unforeseen liabilities, or for other similar costs which are not allowable under this assistance agreement. Management fees or similar charges may not be used to improve or expand the project funded under this agreement, except to the extent authorized as a direct cost of carrying out the scope of work.

All other Administrative Conditions remain in effect.

Programmatic Conditions

All Programmatic Conditions from the previous awards remain in effect except Condition Nos. 6 and 8 which are revised as follows:

6. WORKPLANS

Calendar Year 2007 workplans for GAP, CAA 105, CWA 106 and CWA 319 NPS have been approved. The PWSS workplan for 2007 is under review and to be approved prior to recipient expending funds for tasks included in this workplan.

8. BUDGET DETAIL

The budget detail has been approved with the exception of "Other" and "Contractual" categories for years 2008, 2009 and 2010. Additional detail is required for these categories and must be approved prior to the grantee drawing down on these funds.

In addition, under "Contractual", as per 5/29/07 email from Denean Cook, SRMT, requests that the amount under contractual for CWA 106, 319, 104b3 wetlands be classified as competitive and not as sole source; this revision is reflected in the completed budget template dated May 30, 2007 and is included by reference in this agreement.